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Question of the Falkland Islands (Malvinas)

Letter dated 29 October 2010 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

Acting upon instructions from my Government, I have the honour to transmit to you herewith a copy of the note from the Government of the Argentine Republic to the Government of the United Kingdom of Great Britain and Northern Ireland in response to the latter's note dated 21 October 2010, circulated as document A/65/539, concerning the letter of protest from the Argentine Government regarding the British military exercises in the Malvinas Islands, circulated as document A/65/504 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda item 45 concerning the question of the Malvinas Islands.

(*Signed*) Jorge **Argüello**
Ambassador
Permanent Representative

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Annex to the letter dated 29 October 2010 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

The Ministry of Foreign Affairs, International Trade and Worship is writing to the Embassy of the United Kingdom of Great Britain and Northern Ireland with reference to its letter dated 21 October 2010 in response to this Ministry's letter dated 9 October 2010 regarding the British military exercises in the Malvinas Islands.

The Argentine Government reiterates its rejection of the military exercises the United Kingdom Government is conducting that involve firing missiles from the territory of the Malvinas Islands. Not only are these exercises a violation of the obligation imposed on Argentina and the United Kingdom by General Assembly resolution 31/49 to refrain from taking unilateral decisions that might alter the situation prevailing in the Islands; they are also contrary to the object and purpose of existing bilateral measures regarding mutual confidence-building in the military field.

The Argentine Government wishes to point out that such practices and militarization of the area have been unequivocally and unanimously rejected by the countries of the region through the pronouncements of the Southern Common Market (MERCOSUR), the Union of South American Nations (UNASUR), the Rio Group and the Secretary General of the Organization of American States (OAS) because they are contrary to the search for a peaceful solution to the dispute.

Accordingly, the Argentine Government regrets that, notwithstanding its repeated protests and the many statements from the region and the United Nations, the United Kingdom insists on continuing with such exercises. These exercises are not only a needless provocation but they underscore Britain's unwillingness — notwithstanding the urgings of the international community — to resume negotiations.

The Argentine Government emphatically denies having conducted — in contrast to the United Kingdom and notwithstanding the law being on its side — military exercises in waters or territories subject to the sovereignty dispute.

In the above-mentioned letter the United Kingdom clearly admits to having repeatedly and deliberately violated its obligations deriving from the relevant international instruments in the context of the International Maritime Organization (IMO). For that reason a further communication on the subject has been sent to the Secretary-General of said organization.

As for the reference in the British letter to discussions in the context of the South Atlantic Working Group, the Argentine Government reiterates that it is prepared to discuss, under the sovereignty formula, any aspect conducive to creating a climate of confidence that would lead to a resumption of the negotiations on sovereignty, which goal has been undermined by the persistent unilateral activities of the United Kingdom.

However, the South Atlantic Working Group Forum does not relieve the United Kingdom of its duty to fulfil its international obligations with regard to maritime security.

The Argentine Republic reaffirms its sovereignty rights over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which are part of its national territory.

Buenos Aires, 26 October 2010